

FORM EXEMPT UNDER 44 U.S.C. 3512

INTERNET  
FORM NLRB-501  
(2-08)UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

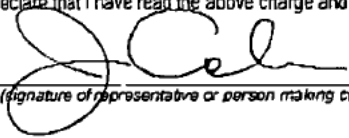
DO NOT WRITE IN THIS SPACE

Case  
28-CA-142400Date Filed  
December 8, 2014

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer		b. Tel. No. (b) (6), (b) (7)(C)
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 4105 East Flamingo Las Vegas, NV 89119, and	e. Employer Representative	
		g. e-Mail
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant	j. Identify principal product or service Fast Food	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (11); subsections) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within the past six months, the employer, by and through its managers, supervisors and agents, has interfered with, restrained and coerced employees in the exercise of their rights under Section 7 of the National Labor Relations Act by engaging in surveillance of employees' protected concerted activity.		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Western Workers Organizing Committee		
4a. Address (Street and number, city, state, and ZIP code) 2501 International Blvd., Suite D Oakland, CA 94601		4b. Tel. No.
		4c. Cell No.
		4d. Fax No.
		4e. e-Mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  By  Jonathan Cohen (signature of representative or person making charge) (Print/type name and title or office, if any)		Tel. No. (626) 796-7555
		Office, if any, Cell No.
		Fax No. (626) 577-0124
		e-Mail jcohen@rsglabor.com
Rothner, Segall & Greenstone Address 510 South Marengo Avenue, Pasadena, California 91101-3115		12/8/14 (date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

# NxGen "C" Assignment Sheet

Case Name:

McDonnell

CATEGORY 1

Assign To:

Wanner

(Supervisor)

Baynes

(Agent)

10j Potential:

☐ Yes

☒ No

Blocked R Case #:

☐ Related Case(s) #:

Bargaining Status:

Coordination ☐ Yes

☐ Cat 3 Organizing

☐ US Postal Information Case Region 25

Assignment doc (kdh 7/2011)

## 8(a)(1)

- ☒ Coercive Actions (Surveillance, etc.)
- ☐ Coercive Rules
- ☐ Coercive Statements (Threats, Promises of Benefits, etc.)
- ☒ Concerted Activities (Retaliation, Discharge, Discipline)
- ☐ Denial of Access
- ☐ Discharge of supervisor (Parker-Robb Chevrolet)
- ☐ Interrogation (Including Polling)
- ☐ Lawsuits
- ☐ Weingarten

## 8(a)(5):

- ☐ Alter Ego
- ☐ Failure to Sign Agreement
- ☐ Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing)
- ☐ Refusal to Furnish Information
- ☐ Refusal to Recognize
- ☐ Repudiation/Modification of Contract [Sec. 8(d)/Unilateral Changes]
- ☐ Shutdown or Relocate (e.g., First National Maint.) Subcontract Work

## 8(b)(4)(A):

- ☐ Lawsuits/Grievances
- ☐ Picketing/Handbilling
- ☐ Statements

## 8(b)(4)(B):

- ☐ Lawsuits/Grievances
- ☐ Picketing/Handbilling
- ☐ Statements

## 8(b)(4)(C):

- ☐ Lawsuits/Grievances
- ☐ Picketing
- ☐ Statements

## 8(a)(2):

- ☐ Assistance
- ☐ Domination
- ☐ Unlawful Recognition

## 8(b)(1)(A):

- ☐ Coercion, Incl'g Statements and Violence
- ☐ Denial of Access
- ☐ Discipline (including charges/fines)/Harassment
- ☐ Duty of Fair Representation, incl'g Superseniority, denial of access
- ☐ Hiring Halls
- ☐ Picketing/Strike Actions
- ☐ Rules: Coercive
- ☐ Union Dues and/or Membership Related (including excessing fees)

## 8(b)(4)(D):

- ☐ All Allegations

## 8(a)(3):

- ☐ Changes in Terms and Conditions of Employment
- ☐ Discharge (Including Layoff and Refusal to Hire (not salting))
- ☐ Discipline
- ☐ Lockout
- ☐ Refusal to Consider/Hire Applicant (salting only)
- ☐ Refusal to Hire Majority
- ☐ Refusal to Reinstate E'ee/Striker (e.g. Laidlaw)
- ☐ Retaliatory Lawsuit
- ☐ Shutdown or Relocate/Subcontract Unit Work
- ☐ Union Security Related Actions

## 8(b)(5):

- ☐ All Allegations

## 8(b)(1)(B):

- ☐ Fund Contribution Related
- ☐ Lawsuits
- ☐ Other Allegations
- ☐ Statements/Threats/Violence

## 8(b)(6):

- ☐ All Allegations

## 8(b)(7)(A):

- ☐ All Allegations

## 8(b)(7)(B):

- ☐ All Allegations

## 8(b)(7)(C):

- ☐ All Allegations

## 8(a)(4)

- ☐ Changes in Terms and Conditions of Employment
- ☐ Discharge (Including Layoff and Refusal to Hire)
- ☐ Discipline
- ☐ Refusal to Reinstate Employee/Striker
- ☐ Shutdown or Relocate/Subcontract Unit Work

## 8(b)(3):

- ☐ Failure to Sign Agreement
- ☐ Refusal to Bargain/Bad Faith or Surface Bargaining
- ☐ Refusal to Furnish Information
- ☐ Repudiation/Modification of Contract

## 8(e):

- ☐ All Allegations against a Labor Organization
- ☐ All Allegations against an Employer

## 8(g):

- ☐ All Allegations

**ROTHNER, SEGALL & GREENSTONE**  
**ATTORNEYS**510 SOUTH MARENGO AVENUE  
PASADENA, CALIFORNIA 91101-3115GLENN ROTHNER  
ANTHONY R. SEGALL  
ELLEN GREENSTONE  
JONATHAN M. COHEN  
ELI NADURIS-WEISSMANMARIA KEEGAN MYERS  
DANIEL B. ROJASMICHELE S. ANCHETA  
OF COUNSELTELEPHONE:  
(626) 796-7555FACSIMILE:  
(626) 577-0124  
WEBSITE:  
WWW.RSGLABOR.COM

December 8, 2014

**By Facsimile and U.S. Mail**Corme A. Overstreet, Regional Director  
National Labor Relations Board  
Region 28  
600 Las Vegas Boulevard South, Suite 400  
Las Vegas, NV 89101-6637

Re: RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer

Dear Mr. Overstreet,

Enclosed please find the original and four copies of a Charge Against Employer for filing in the above matter on behalf of the Western Workers Organizing Committee.

In order to obtain evidence in support of these charges, please contact the undersigned at this office.

Thank you.

Very truly yours,



Jonathan Cohen

JC (b) (6)

Enclosures

**ROTHNER, SEGALL & GREENSTONE****510 South Marengo Avenue, Pasadena, California 91101-3115****FAX COVERSHEET****Date: December 8, 2014**

**To:** Cornele A. Overstreet  
Regional Director  
National Labor Relations Board, Region 28

**Fax No.:** (702) 388-6248

**From:** Jonathan Cohen  
Rothner, Segall & Greenstone

**Pages:** 3, including this cover

**Subject:** RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer

**Comments** See the attached cover letter and Charge Against Employer. The original and copies will follow by U.S. Mail.

---

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

Please telephone this office if you do not receive legible copies of all pages.  
TELEPHONE: 626/796-7555 -- FACSIMILE: 626/577-0124



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 28  
2600 N CENTRAL AVE  
STE 1400  
PHOENIX, AZ 85004-3019

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (602)640-2160  
Fax: (602)640-2178



Download  
NLRB  
Mobile App

December 8, 2014

RLT Corp. d/b/a McDonald's and  
McDonald's USA LLC as joint employer  
4105 E Flamingo Rd  
Las Vegas, NV 89119

Re: RLT Corp. d/b/a McDonald's and  
McDonald's USA LLC as joint employers  
Case 28-CA-142400

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Examiner Barbara Baynes whose telephone number is (702) 388-6565. The mailing address is 600 Las Vegas Blvd South, Suite 400, Las Vegas, NV 89101-6637. If this Board agent is not available, you may contact Resident Officer Stephen E. Wamser whose telephone number is (702) 388-6008.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



Cornele A. Overstreet  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

CAO/BBB/dmm



Revised 3/21/2011

## NATIONAL LABOR RELATIONS BOARD

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer

CASE NUMBER

28-CA-142400

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )****YES NO**A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 28  
2600 N CENTRAL AVE  
STE 1400  
PHOENIX, AZ 85004-3019

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (602)640-2160  
Fax: (602)640-2178



Download  
NLRB  
Mobile App

December 8, 2014

Western Workers Organizing Committee  
2501 International Blvd  
Suite D  
Oakland, CA 94601

Re: RLT Corp. d/b/a McDonald's and  
McDonald's USA LLC as joint employer  
Case 28-CA-142400

Dear Sir or Madam:

The charge that you filed in this case on December 8, 2014 has been docketed as case number 28-CA-142400. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Examiner Barbara Baynes whose telephone number is (702) 388-6565. The mailing address is 600 Las Vegas Blvd S Ste 400, Las Vegas, NV 89101-6637. If this Board agent is not available, you may contact Resident Officer Stephen E. Wamser whose telephone number is (702) 388-6008.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other



witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website [www.nlrb.gov](http://www.nlrb.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website [www.nlrb.gov](http://www.nlrb.gov) or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



Cornele A. Overstreet  
Regional Director

cc: Jonathan Cohen, Attorney At Law  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, CA 91101-3115

CAO/BBB/dmm

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**RLT CORP. D/B/A MCDONALD'S AND  
MCDONALD'S USA LLC AS JOINT  
EMPLOYER**

**and**

**WESTERN WORKERS ORGANIZING  
COMMITTEE**

**Case 28-CA-142400**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 8, 2014, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

RLT Corp. d/b/a McDonald's and  
McDonald's USA LLC as joint employer  
4105 E Flamingo Rd  
Las Vegas, NV 89119

**December 8, 2014**

Date

Dawn M. Moore,  
Designated Agent of NLRB

Name

***/s/ Dawn M. Moore***

Signature

**From:** [Baynes, Barbara](#)  
**To:** ["Jonathan Cohen"](#)  
**Subject:** FW: RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer, 28-CA-142400  
**Date:** Tuesday, December 30, 2014 9:24:00 PM

---

Jonathan,

I left (b) (6), (b) (7)(C) a detailed voicemail regarding taking a telephone affidavit since (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) or at the latest taking the affidavit in person (b) (6), (b) (7)(C) when (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), I will let you know if we are unable to connect. Thanks Barbara

Barbara B. Baynes  
Senior Field Examiner  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Baynes, Barbara  
**Sent:** Tuesday, December 30, 2014 1:46 PM  
**To:** 'Jonathan Cohen'  
**Subject:** RE: RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer, 28-CA-142400

Hi Jonathan,

I have been out of the office since Wednesday afternoon. I will contact (b) (6), (b) (7)(C) today to set up a good time. Thanks Barbara

Barbara B. Baynes  
Senior Field Examiner  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Jonathan Cohen [<mailto:jcohen@RSGLABOR.COM>]  
**Sent:** Tuesday, December 30, 2014 9:25 AM  
**To:** Baynes, Barbara  
**Subject:** RE: RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer, 28-CA-142400

Hi Barbara,

Did you reach (b) (6), (b) (7)(C) and get the affidavit?

Thanks,

Jonathan Cohen  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nrlrb.gov>]  
**Sent:** Wednesday, December 24, 2014 10:54 AM  
**To:** Jonathan Cohen  
**Subject:** RE: RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer, 28-CA-142400

Jonathan,  
I just walked into the office and I had some coffee so I am now awake☺ Please ignore the last email.  
Thanks Barbara

Barbara B. Baynes  
Senior Field Examiner  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Jonathan Cohen [<mailto:jcohen@RSGLABOR.COM>]  
**Sent:** Monday, December 22, 2014 5:10 PM  
**To:** Baynes, Barbara  
**Subject:** RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer, 28-CA-142400

Hi Barbara,

As we discussed, the witness in support of this ULP is (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) phone number is (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) is in (b) (6), (b) (7)(C) until (b) (6), (b) (7)(C) 2015. I will contact (b) (6), (b) (7)(C) and let (b) (6), (b) (7)(C) know you'll call (b) (6), (b) (7)(C) sometime late tomorrow afternoon.

Regarding the substance of the charge, it is a straightforward surveillance charge. On December 4, 2014, about 20-30 fast food workers from Las Vegas held a one-day strike. During the strike, strikers demonstrated at various fast food restaurants in Las Vegas.

While a group of roughly 20-30 people, mostly strikers (including several from RLT facilities in Las Vegas), briefly demonstrated outside of an RLT McDonald's at 2851 Washington Ave. (corner of N. Rancho), a (b) (6), (b) (7)(C) named (b) (6), (b) (7)(C) pulled up in the parking lot and watched the

demonstration from (b) (6) car. After a brief time in (b) (6) car, (b) (6) exited (b) (6) car and watched the demonstration from the sidewalk outside the restaurant.

After a little while, the demonstrators left the parking lot and crossed N. Rancho Ave. to demonstrate outside of Wendy's and Burger King restaurants (each located on N. Rancho). When the demonstrators left Burger King and began walking toward Wendy's, (b) (6), (b) (7)(C) was sitting in (b) (6) car, parked in an empty lot between Wendy's and Burger King, watching the demonstrators.

Later that day, the strikers demonstrated at another RLT restaurant located at the corner of W. Lake Mead Blvd. and N. Martin Luther King Blvd. While a group of roughly 30-40 demonstrators rallied outside the restaurant, several agents of the employer, including, but not limited to, (b) (6), (b) (7)(C) and what appeared to be (b) (6), (b) (7)(C), watched the demonstration from the sidewalk in front of the restaurant. Among those watching (while holding (b) (6) phone as a camera) from the sidewalk was who demonstrators believed was the (b) (6), (b) (7)(C).

After a short while, the demonstrators walked down MLK Blvd. to the RLT corporate headquarters (at the corner of MLK and Wheeler Peak Drive) for another short demonstration. The same (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) followed the demonstrators. At least one of the (b) (6), (b) (7)(C) was taking photos of the demonstrators.

I have attached 5 photos that I took during the final demonstration at RLT headquarters. In the first photo, the two individuals on the right are agents of RLT. The individual on the far right leaning on the pole is (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) that followed the demonstrators earlier in the day. The second and third photos are the same individuals. The last two photos are of a (b) (6), (b) (7)(C) that was taking photos of us.

Let me know if you have any questions or concerns.

Regards,

Jonathan Cohen  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message





(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)















(b) (6), (b) (7)(C)

**From:** [Baynes, Barbara](#)  
**To:** [Wamser, Stephen E.](#); [Rivera, Domingo](#)  
**Subject:** FW: Mc Donald's 28-CA-142400 Service of Charge  
**Date:** Wednesday, December 31, 2014 6:25:00 PM

---

FYI-

Barbara B. Baynes  
Senior Field Examiner  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Baynes, Barbara  
**Sent:** Wednesday, December 31, 2014 3:25 PM  
**To:** 'Jonathan Cohen'  
**Subject:** Mc Donald's 28-CA-142400 Service of Charge

Jonathan,

Hope this e-mail finds you well in the New Year. We attempted service of the above-captioned charge. It was returned to us on December 30<sup>th</sup>.

The address on the charge reads:

4105 East Flamingo  
Las Vegas, NV 89119.

I searched Google for all McDonald's restaurants located in the Las Vegas area and the above address was not found. The closest address found are as follows:

4105 S Eastern Ave  
Las Vegas, NV 89119

4945 W Flamingo Rd  
Las Vegas, NV 89103

Please advise me of the correct address so we may serve the charge at that address.

Thank you, Barbara

Barbara B. Baynes  
Senior Field Examiner  
United States Government  
National Labor Relations Board

Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)



**From:** [Jonathan Cohen](#)  
**To:** [Baynes, Barbara](#)  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge  
**Date:** Friday, January 9, 2015 8:54:38 PM

---

Thanks, Barbara. I'll follow up. Have a nice weekend.

Jonathan Cohen  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nlrb.gov>]  
**Sent:** Friday, January 09, 2015 3:51 PM  
**To:** Jonathan Cohen  
**Subject:** FW: Mc Donald's 28-CA-142400 Service of Charge

Hi Jonathan,

I have made three phone calls to your witness (b) (6), (b) (7)(C) with no response. As per Regional policy, I am supposed to send you a short deadline letter followed up by another letter advising you of my intent to recommend dismissal of the case for lack of cooperation. But, I want to give you an opportunity to make contact with (b) (6), (b) (7)(C) again. If you are unable to secure (b) (6), (b) (7)(C) cooperation with the investigation by Wednesday January 14, I am requesting that you withdraw the charge. Hopefully, (b) (6), (b) (7)(C) will return your call. Have a nice weekend. -Barbara

Barbara B. Baynes  
Senior Field Examiner, Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Jonathan Cohen [<mailto:jcohen@RSGLABOR.COM>]  
**Sent:** Friday, January 02, 2015 11:23 AM  
**To:** Baynes, Barbara  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge

Barbara,

Happy New Year!

The restaurant where (b) (6), (b) (7)(C) works is located at 2851 W. Washington Ave Las Vegas, NV 89107. That location will likely work to serve the charge.

Thanks,

Jonathan Cohen  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nlrb.gov>]  
**Sent:** Wednesday, December 31, 2014 3:24 PM  
**To:** Jonathan Cohen  
**Subject:** Mc Donald's 28-CA-142400 Service of Charge

Jonathan,

Hope this e-mail finds you well in the New Year. We attempted service of the above-captioned charge. It was returned to us on December 30<sup>th</sup>.

The address on the charge reads:  
4105 East Flamingo  
Las Vegas, NV 89119.

I searched Google for all McDonald's restaurants located in the Las Vegas area and the above address was not found. The closest address found are as follows:

4105 S Eastern Ave  
Las Vegas, NV 89119

4945 W Flamingo Rd  
Las Vegas, NV 89103

Please advise me of the correct address so we may serve the charge at that address.

Thank you, Barbara

Barbara B. Baynes  
Senior Field Examiner

United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

**From:** [Jonathan Cohen](#)  
**To:** [Baynes, Barbara](#)  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge  
**Date:** Monday, January 12, 2015 2:12:13 PM

---

I'm not sure. (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) of (b) (6), (b) (7)(C), who I understand is (b) (6)

Jonathan Cohen  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nlrb.gov>]  
**Sent:** Monday, January 12, 2015 11:11 AM  
**To:** Jonathan Cohen  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge

Thank you Jonathan. When will (b) (6), (b) (7)(C) be (b) (6), (b) (7)(C) ? Does (b) (6), (b) (7)(C) have access to a fax a machine or email and a scanner?

Barbara B. Baynes  
Senior Field Examiner, Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Jonathan Cohen [<mailto:jcohen@RSGLABOR.COM>]  
**Sent:** Monday, January 12, 2015 10:19 AM  
**To:** Baynes, Barbara  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge

Barbara,

I just spoke to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) is available to give you an affidavit by phone (b) (6), (b) (7)(C) if you can call (b) (6), (b) (7)(C) at that time (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) number is (b) (6), (b) (7)(C). If that time does not work for you, let me know what time will work for you.

Thanks,

Jonathan Cohen

Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nlrb.gov>]  
**Sent:** Friday, January 09, 2015 3:51 PM  
**To:** Jonathan Cohen  
**Subject:** FW: Mc Donald's 28-CA-142400 Service of Charge

Hi Jonathan,

I have made three phone calls to your witness (b) (6), (b) (7)(C) with no response. As per Regional policy, I am supposed to send you a short deadline letter followed up by another letter advising you of my intent to recommend dismissal of the case for lack of cooperation. But, I want to give you an opportunity to make contact with (b) (6), (b) (7)(C) again. If you are unable to secure (b) (6), (b) (7)(C) cooperation with the investigation by Wednesday January 14, I am requesting that you withdraw the charge. Hopefully, (b) (6), (b) (7)(C) will return your call. Have a nice weekend. -Barbara

Barbara B. Baynes  
Senior Field Examiner, Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Jonathan Cohen [<mailto:jcohen@RSGLABOR.COM>]  
**Sent:** Friday, January 02, 2015 11:23 AM  
**To:** Baynes, Barbara  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge

Barbara,

Happy New Year!

The restaurant where (b) (6), (b) (7)(C) works is located at 2851 W. Washington Ave Las Vegas, NV 89107. That location will likely work to serve the charge.

Thanks,

Jonathan Cohen

Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nlrb.gov>]  
**Sent:** Wednesday, December 31, 2014 3:24 PM  
**To:** Jonathan Cohen  
**Subject:** Mc Donald's 28-CA-142400 Service of Charge

Jonathan,

Hope this e-mail finds you well in the New Year. We attempted service of the above-captioned charge. It was returned to us on December 30<sup>th</sup>.

The address on the charge reads:  
4105 East Flamingo  
Las Vegas, NV 89119.

I searched Google for all McDonald's restaurants located in the Las Vegas area and the above address was not found. The closest address found are as follows:

4105 S Eastern Ave  
Las Vegas, NV 89119

4945 W Flamingo Rd  
Las Vegas, NV 89103

Please advise me of the correct address so we may serve the charge at that address.

Thank you, Barbara

Barbara B. Baynes  
Senior Field Examiner  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)



**From:** [Jonathan Cohen](#)  
**To:** [Baynes, Barbara](#)  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge  
**Date:** (b) (6), (b) (7)(C)

---

Many thanks for the update. Let me know if you need any further assistance in seeking (b) (6), (b) (7)(C) cooperation.

Jonathan Cohen  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nlrb.gov>]  
**Sent:** (b) (6), (b) (7)(C)  
**To:** Jonathan Cohen  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge

Yes. We had to break because I pulled away addressing hearing and elections matters for tomorrow. I just called (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) wants to continue (b) (6), (b) (7)(C)

Barbara B. Baynes  
Senior Field Examiner, Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Jonathan Cohen [<mailto:jcohen@RSGLABOR.COM>]  
**Sent:** (b) (6), (b) (7)(C)  
**To:** Baynes, Barbara  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge

Barbara,

Were you able to reach (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Thanks,

Jonathan Cohen  
Rothner, Segall & Greenstone

510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nlrb.gov>]  
**Sent:** Friday, January 09, 2015 3:51 PM  
**To:** Jonathan Cohen  
**Subject:** FW: Mc Donald's 28-CA-142400 Service of Charge

Hi Jonathan,

I have made three phone calls to your witness (b) (6), (b) (7)(C) with no response. As per Regional policy, I am supposed to send you a short deadline letter followed up by another letter advising you of my intent to recommend dismissal of the case for lack of cooperation. But, I want to give you an opportunity to make contact with (b) (6), (b) (7)(C) again. If you are unable to secure (b) (6), (b) (7)(C) cooperation with the investigation by Wednesday January 14, I am requesting that you withdraw the charge. Hopefully, (b) (6), (b) (7)(C) will return your call. Have a nice weekend. -Barbara

Barbara B. Baynes  
Senior Field Examiner, Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Jonathan Cohen [<mailto:jcohen@RSGLABOR.COM>]  
**Sent:** Friday, January 02, 2015 11:23 AM  
**To:** Baynes, Barbara  
**Subject:** RE: Mc Donald's 28-CA-142400 Service of Charge

Barbara,

Happy New Year!

The restaurant where (b) (6), (b) (7)(C) works is located at 2851 W. Washington Ave Las Vegas, NV 89107. That location will likely work to serve the charge.

Thanks,

Jonathan Cohen  
Rothner, Segall & Greenstone

510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [<mailto:Barbara.Baynes@nlrb.gov>]  
**Sent:** Wednesday, December 31, 2014 3:24 PM  
**To:** Jonathan Cohen  
**Subject:** Mc Donald's 28-CA-142400 Service of Charge

Jonathan,

Hope this e-mail finds you well in the New Year. We attempted service of the above-captioned charge. It was returned to us on December 30<sup>th</sup>.

The address on the charge reads:

4105 East Flamingo  
Las Vegas, NV 89119.

I searched Google for all McDonald's restaurants located in the Las Vegas area and the above address was not found. The closest address found are as follows:

4105 S Eastern Ave  
Las Vegas, NV 89119

4945 W Flamingo Rd  
Las Vegas, NV 89103

Please advise me of the correct address so we may serve the charge at that address.

Thank you, Barbara

Barbara B. Baynes  
Senior Field Examiner  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

**From:** [Baynes, Barbara](#)  
**To:** (b) (6), (b) (7)(C)  
**Subject:** McDonalds case 28-CA-142400  
**Date:** Wednesday, January 28, 2015 6:09:50 PM  
**Attachments:** (b) (6), (b) (7)(C) [Affidavit.docx](#)

---

(b) (6), (b) (7)(C)

Please review your draft affidavit, make necessary changes and return unsigned to me via email for my final review. Thanks Barbara

Barbara B. Baynes  
Senior Field Examiner, Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 28  
600 Las Vegas Blvd S Ste 400  
Las Vegas, NV 89101-6637

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (702)388-6416  
Fax: (702)388-6248

Agent's Direct Dial: (702)388-6565

(b) (6), (b) (7)(C)

January 28, 2015

Re: RLT Corp. d/b/a McDonald's and  
McDonald's USA LLC as joint employer  
Case 28-CA-142400

Dear (b) (6), (b) (7)(C):

Enclosed is the affidavit I prepared based on our conversations. As we discussed, the affidavit will be considered a confidential law enforcement record by the Board and will not be disclosed unless it becomes necessary to produce the affidavit in connection with a formal proceeding. Please do not show this affidavit to anyone other than your attorney or representative in this matter.

You should read the affidavit very carefully to make sure everything is correct. If you find anything that is not fully accurate, make the appropriate changes and then place your initials next to anything you cross out or add. If something relevant is omitted from the affidavit, you may add that but call me so we can discuss the addition and make sure all the necessary information is included. If you add something, place your initials next to that addition.

**After you have read the affidavit, call me at (702) 388-6565 so that I may administer the oath to you. When you sign the affidavit you should place your initials at the bottom of each page to indicate that you have read it and then sign and date the last page of the affidavit. When you have initialed and signed the affidavit, please mail it to me in the enclosed self-addressed envelope. I am requesting that you call me to administer the oath and mail the affidavit with your original signature.**

If you have any questions or remember anything else that is important, please immediately let me know. Thank you for your assistance in this matter.

Very truly yours,

BARBARA BAYNES

Field Examiner



**From:** [Jonathan Cohen](#)  
**To:** [Baynes, Barbara](#)  
**Subject:** RE: 28-CA- 142400 McDonalds Las Vegas  
**Date:** Tuesday, February 10, 2015 1:00:41 PM

---

Hi Barbara,

I've reached out to (b) (6), (b) (7)(C) several times, as has WWOC. (b) (6), (b) (7)(C) phone is not connected and we have no other way of reaching (b) (6), (b) (7)(C). If you are agreeable, we can produce another witness – (b) (6), (b) (7)(C), an (b) (6), (b) (7)(C) for WWOC – who was also an eyewitness to the allegedly unlawful surveillance. (b) (6), (b) (7)(C) is available to provide an affidavit on (b) (6), (b) (7)(C).

Let me know how you'd like to proceed.

Thanks,

Jonathan Cohen  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, California 91101-3115  
(626) 796-7555  
fax (626) 577-0124

This e-mail may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message

---

**From:** Baynes, Barbara [mailto:Barbara.Baynes@nlrb.gov]  
**Sent:** Tuesday, February 10, 2015 9:08 AM  
**To:** Jonathan Cohen  
**Subject:** FW: 28-CA- 142400 McDonalds Las Vegas

Any word?

Barbara B. Baynes  
Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
300 Las Vegas Blvd South, Suite 2-901  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Baynes, Barbara  
**Sent:** Friday, February 06, 2015 2:13 PM  
**To:** 'Jonathan Cohen'  
**Subject:** 28-CA- 142400 McDonalds Las Vegas

Jonathan,

Can you find out if (b) (6), (b) (7)(C) is still interested in cooperating. I sent (b) (6), (b) (7)(C) the affidavit for review, but did not receive it back. Thanks Barbara

Barbara B. Baynes  
Senior Field Examiner, Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
600 Las Vegas Blvd South, Suite 400  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**ORAL WITHDRAWAL REQUEST FORM**

Re: RLT Corp. d/b/a McDonald's and McDonald's USA LLC

Case: 28-CA-142400

On February 10, 2015, in telephone conversation with Union Attorney Jonathan Cohen, Board agent Barbara Beaubrun Baynes, was advised of the Charging Party's desire to withdraw the above-referenced charge and authorized withdrawal on an oral basis.

/s/ Barbara Beaubrun Baynes

Withdrawal request approved:

February 11, 2015

\_\_\_\_\_  
(Date)

*/s/ Cornele A. Overstreet*

\_\_\_\_\_  
Regional Director, Region 28  
National Labor Relations Board

**From:** [Baynes, Barbara](#)  
**To:** [Dunham, Geoffrey](#)  
**Cc:** [Martinez, Nancy E.](#); [Moore, Dawn M.](#)  
**Subject:** FW: McDonald's 28-CA-142400 WDR Region 2 Coordination  
**Date:** Tuesday, February 10, 2015 9:15:00 PM

---

Hello Geoffrey,

Attached are withdrawal documents for the above case for your approval. The Western Organizers Committee's witness was unable to fully cooperate. As a result, the Committee agreed to withdraw this charge and file a new charge at a later date. We will wait for your response before we process the withdrawal.

Thank you, Barbara

Barbara B. Baynes  
Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office  
300 Las Vegas Blvd South, Suite 2-901  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

---

**From:** Baynes, Barbara  
**Sent:** Tuesday, February 10, 2015 12:19 PM  
**To:** Martinez, Nancy E.  
**Cc:** Moore, Dawn M.  
**Subject:** McDonald's 28-CA-142400 WDR Region 2 Coordination

Nancy,

Please see the attached WDR docs for your review. (b) (5)

Thanks Barbara

WDR

(b) (7)(E)

FIR WDR

(b) (7)(E)

Barbara B. Baynes  
Acting Resident Officer  
United States Government  
National Labor Relations Board  
Region 28, Las Vegas Resident Office

300 Las Vegas Blvd South, Suite 2-901  
Las Vegas, NV 89101-6637  
(702) 388-6417 (main line)  
(702) 388-6565 (direct line)  
(702) 388-6248 (fax line)

Case Name: RLT Corp. d/b/a McDonald's and McDonald's USA LLC as joint employer  
Case No.: 28-CA-142400  
Agent: BARBARA BEAUBRUN BAYNES, FX

**CASEHANDLING LOG**

Date	Person Contacted	Method of Contact	Description of Contact or Activity
12/22/14	Atty Jonathan Cohen	Telephone	Witness named (b) (5), (b) (6), (b) (7)(C) Cohen will email a last name, telephone number and summary of the events; related to December 4 strike, Cohen was present; protested at several locations and managers present followed them to different sites and at one point began taking pictures; see later emails in case file.
(b) (6), (b) (7)(C) /14	(b) (6), (b) (7)(C)	Telephone	Left detailed voicemail message re: above and providing affidavit testimony.
(b) (6), (b) (7)(C) /15	(b) (6), (b) (7)(C)	Telephone	Left detailed vm re: affidavit testimony; Telephone affidavit needed; witness is in (b) (6), (b) (7)(C).
			See email communications regarding securing final affidavit testimony from witness between 12/30/14 and 2/10/15
2/10/15	Jonathan Cohen	Telephone	Based on Cohen's email sent today, he advised that he is unable to reach witness (b) (6), (b) (7)(C) but he is able to secure another witness's testimony who at this time is available (b) (6), (b) (7)(C); (b) (5) orally withdraw the charge.

Date	Person Contacted	Method of Contact	Description of Contact or Activity



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 28  
2600 N CENTRAL AVE  
STE 1400  
PHOENIX, AZ 85004-3019

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (602)640-2160  
Fax: (602)640-2178

February 11, 2015

RLT Corp. d/b/a McDonald's and  
McDonald's USA LLC as Joint Employers  
2851 W. Washington Ave  
Las Vegas, NV 89107

Re: RLT Corp. d/b/a McDonald's and  
McDonald's USA LLC as joint employer  
Case 28-CA-142400

Dear Sir or Madam:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Cornele A. Overstreet*

Cornele A. Overstreet  
Regional Director

cc: Jonathan Cohen, Attorney at Law  
Rothner, Segall & Greenstone  
510 South Marengo Avenue  
Pasadena, CA 91101-3115

Western Workers Organizing Committee  
2501 International Boulevard, Suite D  
Oakland, CA 94601

Doreen S. Davis, Attorney at Law  
Jones Day  
222 East 41st Street  
New York, NY 10017-6702



Michael S. Ferrell, Attorney at Law  
Jones Day  
77 West Wacker Drive, Ste 3500  
Chicago, IL 60601

Aaron L. Agenbroad, Attorney at Law  
Jones Day  
555 California Street, 26th Floor  
San Francisco, CA 94104

Caralyn M. Olie, Attorney at Law  
LaPointe Law, P.C.  
1200 Shermer Rd, Ste 310  
Northbrook, IL 60062-4563

CAO/BBB/dr